

THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
vs.)	No. 09-CR-40056-JPG
)	
FREDERICK G. GOOSBY,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

THIS MATTER is before the Court on defendant Frederick G. Goosby's motion for free copies of the docket sheet in this case and the transcript from his bank robbery case (Doc. 59). Goosby says he needs these documents to file an appeal. In light of the Court of Appeals' recent dismissal of his appeal, the Court assumes Goosby means he needs the documents to prepare a petition for a writ of *certiorari* to the Supreme Court.

Defendants have no constitutional right to a complimentary copy of any document in their court files. *See United States v. Groce*, 838 F. Supp. 411, 413, 414 (E.D. Wis. 1993). Before providing copies free of charge, a district court may require the requestor to show: (1) that he has exhausted *all* other means of access to his files (*i.e.*, through his trial and appellate counsel), (2) that he is financially unable to secure access to his court files by paying for copies (*i.e.*, through a showing similar to that required in 28 U.S.C. § 1915(a)(2) which includes a certified copy of the prisoner's trust account for the previous six-month period prior to filing), and (3) that the documents requested are necessary for the preparation of some specific non-frivolous court action. *See United States v. Wilkinson*, 618 F.2d 1215, 1218-19 (7th Cir. 1980); *Rush v. United States*, 559 F.2d 455, 459 (7th Cir. 1977); *Groce*, 838 F. Supp. at 413-14. These minimal requirements do not impose any substantial burden to financially unable prisoners who desire their records be sent to them at

government expense.

Goosby had not addressed any of the three requirements in his motion. Accordingly, the Court **DENIES** the motion (Doc. 59) **without prejudice**.

IT IS SO ORDERED.

Dated: January 10, 2011

s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. DISTRICT JUDGE